BILL NO. S-91-11-47

SPECIAL ORDINANCE NO. S-304-91

AN ORDINANCE approving the awarding of Reference #1583 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and **FORT WAYNE ROOFIND CORPORATION** for the Parks and Recreation Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1583 between the City of Fort Wayne, by and through its Department of Purchasing and **FORT WAYNE ROOFING CORP.** for the Parks and Recreation Department, respectfully for:

> **the removal and installation of new roofs on the Stewart McMillen Tennis Center and Conklin Pavilion for the Parks and Recreation Department;**

involving a total cost of Sixteen Thousand Six Hundred Seventy and no/100+/- Dollars ($16,670.00+/-), all as more particularly set forth in said Reference #1583 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. Giaquinta
Council Member

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

REF. NO.:	1583
DEPT:	PARK DEPARTMENT
DATE:	11/21/91
ITEM/SERVICE:	RE-ROOF McMILLEN TENNIS & CONKLIN PAVILION

PURCHASING INFORMATION

ADVERTISED BID:	YES
DATES ADVERTISED:	10/21/91 & 10/28/91
OPENING DATE:	11/14/91
WRITTEN QUOTE:	NO
DUE DATE:	
VERBAL QUOTE:	NO
SINGLE SOURCE:	NO
NO. OF VENDORS NOTIFIED:	13
NO. OF VENDORS RECEIVING BID:	10
NO. OF VENDORS RETURNING BID:	6
NO. OF VENDORS DISQUALIFIED:	0
NO. OF VENDORS NOT RESPONDING:	7
DATE SENT TO DEPT FOR RECOMM:	11/15/91
DATE RECOMMENDATION REC'D IN PURCH	11/19/91

COUNCIL INFORMATION	DATES SENT	EXTENSION DATES
DATE INFO SENT TO LAW DEPT:	11/21/91	
INTRODUCTION DATE:	11/26/91	
DISCUSSION DATE:	12/03/91	
PASSAGE DATE:	12/10/91	
ORDINANCE NO:		

AMOUNT APPROVED AND/OR SPENT
LAST YEAR:

REFERENCE NO. 1583
RE-ROOFING PROJECT
PARK DEPARTMENT

ITEM/DESCRIPTION	RL KELLY	LOVE ROOF.	DAHM BROS	FW ROOFING	BROWN INC	SE JAHN
STEWART MCMILLEN	$2,200.00	$2,411.00	$2,395.00	$1,090.00	$1,300.00	$2,515.00
COST SQ FT	$2.20	$1.50	$2.00	$3.50	$0.80	$0.90
CONKLIN PAVILION	$21,100.00	$17,411.00	$17,900.00	$15,580.00	$18,740.00	$19,400.00
COST SQ FT	$2.20	$1.50	$2.00	$3.50	$0.80	$0.90

FRONT PAGE/INVITATION TO BID
DEPARTMENT OF PURCHASING
CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA
ONE MAIN STREET - ROOM 350
PHONE 219-427-1101

BID OPENING DATE 11-14-91 @ 11:00 AM BID REFERENCE # 1583

SEALED BIDS SHOULD BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM 350, CITY-COUNTY BUILDING UP TO 11:00 A.M. ON OR BEFORE OPENING DATE.

SEALED BIDS WILL BE OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF WORKS & SAFETY CONFERENCE ROOM ON THE THIRD FLOOR OF THE CITY-COUNTY BUILDING. "NO LATE BIDS WILL BE ACCEPTED AFTER 11:00 A.M. FOR ANY REASON WHATSOEVER".

THIS INVITATION FOR BID IS FOR RE-ROOFING OF THE STEWART MCMILLEN TENNIS CENTER & THE CONKLIN PAVILION PER SPECIFICATIONS

AND REQUESTED BY BOARD OF PARK COMMISSIONERS

THIS BID REQUIRES A XXXX 5% BID BOND, CERTIFIED OR CASHIER'S CHECK OF ALL BIDDERS.

THIS BID REQUIRES A XXXX 100% PERFORMANCE BOND OF SUCCESSFUL BIDDER(S).

PROMPT PAYMENT DISCOUNTS WILL BE ALLOWED AS FOLLOWS: 2 % IF PAID WITHIN 10 DAYS.

THIS INVITATION IS ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE CITY OF FORT WAYNE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ACCOMPANYING SPECIFICATIONS.

THE EXECUTION HEREOF BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND CONDITIONS HEREIN AND IN THAT REGARD THE BIDDER AGREES TO BE BOUND BY SAME AND BE BOUND TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF NINETY (90) DAYS.

FIRM NAME Fort Wayne Roofing Corp.

STREET ADDRESS 1805 E. Washington

CITY FWA PHONE # 422-9529

BY Jon A. Lucy President
REPRESENTATIVE SIGNATURE

Weather Conditions: The Contractor shall proceed with roofing work only when existing and forecasted weather conditions will permit the work to be performed in accordance with the manufacturers recommendations, and established procedures and schedule. The Contractor shall proceed only when willing to guarantee the work as required without additional reservations or restrictions. The Contractor shall provide adequate protection from the elements to insure against damage to the structure.

Except as otherwise indicated, install shingles as recommended by the shingle manufacturer. Provide accessory items as required to make a complete installation.

QUOTE OR BID

REMOVAL AND REPLACEMENT OF EXISTING ROOFING.....$ 15,580.00

COST PER SQUARE FOOT TO REPLACE UNSATISFACTORY WOOD SHEATHING (INCLUDING LABOR).....$ 3.50

ALL BIDS SHALL REMAIN OPEN FOR A PERIOD OF 90 DAYS.

Note: Owner is exempt from all sales tax, a certificate of exemption will be supplied upon an award of contract.

See attached General Conditions and Site Location Plan.

QUESTIONS: Contact: Brent Edwards 427-1253
or
Jeff Baxter 427-1253

SHINGLE MANUFACTURER/TYPE: ELK - PRESTIQUE I

CONTRACTOR: FORT WAYNE ROOFING CORP.

ADDRESS: 1805 E. WASHINGTON BLVD

PHONE #: 219-422-9529

SIGNATURE: Jon W. Lucius President DATE: 11-14-91

NOTE: Voluntary Alternate - leave existing metal on perimeter - DEDUCT $310.00

QUOTE OR BID

REMOVAL AND REPLACEMENT OF EXISTING ROOFING.....$ 1090.00

COST PER SQUARE FOOT TO REPLACE UNSATISFACTORY WOOD SHEATHING (INCLUDING LABOR).....$ 3.50

ALL BIDS SHALL REMAIN OPEN FOR A PERIOD OF 90 DAYS.

Note: Owner is exempt from all sales tax, a certificate of exemption will be supplied upon an award of contract.

See attached General Conditions and Site Location Plan.

QUESTIONS: Contact: Brent Edwards 427-1253
or
Jeff Baxter 427-1253

SHINGLE MANUFACTURER/TYPE: MANVILLE - WEATHER SEAL

CONTRACTOR: FORT WAYNE ROOFING CORP.

ADDRESS: 1805 E. WASHINGTON BLVD.

PHONE #: 219-422-9529

SIGNATURE: Jan W. Lucey President DATE: 11-14-91

Weather Conditions: The Contractor shall proceed with roofing work only when existing and forecasted weather conditions will permit the work to be performed in accordance with the manufacturers recommendations, and established procedures and schedule. The Contractor shall proceed only when willing to guarantee the work as required without additional reservations or restrictions. The Contractor shall provide adequate protection from the elements to insure against damage to the structure.

Except as otherwise indicated, install shingles as recommended by the shingle manufacturer. Provide accessory items as required to make a complete installation.

QUOTE OR BID

REMOVAL AND REPLACEMENT OF EXISTING ROOFING.....$ 15,580.00

COST PER SQUARE FOOT TO REPLACE UNSATISFACTORY WOOD SHEATHING (INCLUDING LABOR).....$ 3.50

ALL BIDS SHALL REMAIN OPEN FOR A PERIOD OF 90 DAYS.

Note: Owner is exempt from all sales tax, a certificate of exemption will be supplied upon an award of contract.

See attached General Conditions and Site Location Plan.

QUESTIONS: Contact: Brent Edwards 427-1253
or
Jeff Baxter 427-1253

SHINGLE MANUFACTURER/TYPE: EIK - PRESTIQUE I

CONTRACTOR: FORT WAYNE ROOFING CORP.

ADDRESS: 1805 E. WASHINGTON BLVD.

PHONE #: (219) 422-9529

SIGNATURE: Jon W. Lucey President DATE: 11-14-91

Voluntary Alt 310.00

OUTLINE SPECIFICATIONS FOR REROOFING
CONKLIN PAVILION.
SHOAFF PARK

SUMMARY OF WORK

The Contractor shall furnish all labor, materials, equipment, transportation, services, and temporary facilities necessary for the completion of the work shown or specified herein. Work shall include removal and disposal of existing roofing materials including felts; replacement with new felts and shingles, and site cleanup and restoration.

SCOPE OF WORK

Remove existing roofing material and felts down to bare wood substrate, clean all debris, remove from jobsite and dispose of properly.

Install new 30 # saturated felt to all roof areas.

Install pre-finished aluminum metal drip edgings at the perimeter.

Install 26 gauge galvanized tin flashings around two chimneys and along siding.

Install new boot flashings around all vent pipes. Flashing shall be a minimum 26 gauge sheet metal.

Re-use existing valleys. These are in good condition and do not need replacing.

Install 30 year, ~~3 in 1~~ laminated self sealing ASPHALT shingles, weighing not less than 320 lbs. per square, UL Class A or approved equal. Color and pattern as selected by Owner.

Fasteners (nails only - no staples): Type and size as recommended by shingle manufacturer.

Substrate: Contractor shall examine the substrate and the conditions under which the roofing will be installed and notify the Owner immediately of any unsatisfactory conditions. Contractor shall not proceed with installation until unsatisfactory conditions have been corrected in a manner acceptable to the Owner. Contractor shall supply a square foot cost for replacement of unsatisfactory wood sheathing.

QUOTE OR BID

REMOVAL AND REPLACEMENT OF EXISTING ROOFING.....$ 1090.00

COST PER SQUARE FOOT TO REPLACE UNSATISFACTORY WOOD SHEATHING (INCLUDING LABOR).....$ 3.50

ALL BIDS SHALL REMAIN OPEN FOR A PERIOD OF 90 DAYS.

Note: Owner is exempt from all sales tax, a certificate of exemption will be supplied upon an award of contract.

See attached General Conditions and Site Location Plan.

QUESTIONS: Contact: Brent Edwards 427-1253
or
Jeff Baxter 427-1253

SHINGLE MANUFACTURER/TYPE: MANVILLE - WEATHER SEAL

CONTRACTOR: FORT WAYNE ROOFING CORP.

ADDRESS: 1805 E. WASHINGTON BLVD.

PHONE #: 219-422-9529

SIGNATURE: Jon W. Lucy President DATE: 11-14-91

Prescribed by the State Board of Accounts

Form No. 95 (Revised 1987)

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at I.C. 36-1-2-9.5)
(Please type or print)

Date: 11-14-91

1. Governmental Unit: CITY OF FORT WAYNE
2. County: ALLEN
3. Bidder (Firm): FORT WAYNE ROOFING CORP.
   Address: 1805 E. WASHINGTON
   City/State: FORT WAYNE IN
4. Telephone Number: 219-422-9529
5. Agent of Bidder (If applicable): _____

Pursuant to notices given, the undersigned offers bid(s) to City of Fort Wayne (Governmental Unit) in accordance with the following attachment(s) which specify the class or item number or description, quantity, unit, unit price and total amount.

The contract will be awarded by classes or items, in accordance with specifications. Any changes or alterations in the items specified will render such bid void as to that class or item. Bidder promises that he has not offered nor received a less price than the price stated in his bid for the materials included in said bid. Bidder further agrees that he will not withdraw his bid from the office in which it is filed. A certified check or bond shall be filed with each bid if required, and liability for breach shall be enforceable upon the contract, the bond or certified check or both as the case may be.

Jan W. Lucey
Signature of Bidder or Agent

BID OFFER OR PROPOSAL

Attach separate sheet listing each item bid based on specifications published by governing body. Following is an example of the bid format:

Class or Item	Quantity	Unit	Description	Unit Price	Amount

NON-COLLUSION AFFIDAVIT

STATE OF INDIANA)
Allen COUNTY) SS:

The undersigned bidder or agent, being duly sworn on oath, says that he has not, nor has any other member, representative, or agent of the firm, company, corporation or partnership represented by him, entered into any combination, collusion or agreement with any person relative to the price to be bid by anyone at such letting nor to prevent any person from bidding nor to induce anyone to refrain from bidding, and that this bid is made without reference to any other bid and without any agreement, understanding or combination with any other person in reference to such bidding.

He further says that no person or persons, firms, or corporation has, have or will receive directly or indirectly, any rebate, fee, gift, commission or thing of value on account of such sale.

Fort Wayne Roofing Corp.
Bidder (Firm)

Jan W. Lucey President
Signature of Bidder or Agent

Subscribed and sworn to before me this 14th day of November 19 91.

My Commission Expires: 5-2-93

County of Residence: Allen

Cynthia Jones
Notary Public

CYNTHIA Jones
Notary Public Printed Name

ACCEPTANCE

There now being sufficient unobligated appropriated funds available, the contracting authority of _____ (Governmental Unit) hereby accepts the terms of the attached bid for classes or items numbered _____ and promises to pay the undersigned bidder upon delivery the price quoted for the materials stipulated in said bid.

Date: _____

Contracting Authority Members:

_____ _____

_____ _____

_____ _____

Transamerica
Insurance Services

Transamerica Premier Insurance Company
Home Office: Orange, California

Proposal Bond

KNOW ALL MEN BY THESE PRESENTS, Bond no. TPI03223412-06

That we Fort Wayne Roofing Corporation

1805 E. Washington Blvd., Fort Wayne, IN, 46802

as Principal, and the Transamerica Premier Insurance Company, a corporation under the laws of the State of California, as Surety, are held and firmly bound unto City of Fort Wayne, IN

(hereinafter called the obligee)

in the full and just sum of One Thousand, Two Hundred Dollars

for the payment whereof in lawful money of the United States, we bind ourselves, our heirs, administrators, executors or successors, jointly and severally, firmly by these presents.

WHEREAS, the said PRINCIPAL has submitted the accompanying bid for

Remove & Install Shingles to City-owned Pavilion

NOW, THEREFORE, if said contract be awarded to the Principal and the Principal shall, within such time as may be specified, enter into the contract in writing, and give bond, with surety acceptable to the Obligee for the faithful performance of the said contract, then this obligation shall be void; otherwise to remain in full force and effect. Provided, however, that if said contract is not awarded within 60 days of the date of bid opening, this bond shall be void and of no force and affect.

Signed and Sealed this 14th day of November, 1991.

Principal

Jan W Sircey, President

Transamerica Premier Insurance Company

By

Attorney-in-fact

Alan DuPuis

TRANSAMERICA SPECIALTY INSURANCE

Transamerica Premier Insurance Company
Administrative Office: Orange, California

General Power of Attorney

GPA Nº 7362

Power Of Attorney valid only if numbered in red.

Know All Men by These Presents, That Transamerica Premier Insurance Company, a corporation duly organized and existing under the laws of the State of California, and having its administrative office in Orange, Orange County, California, does by these presents make, constitute and appoint

ALAN DUPUIS

of PORTAGE and State of MICHIGAN its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver

CONTRACT BONDS (S.B.A. GUARANTEE AGREEMENT) - MAXIMUM PENALTY $500,000.00
OTHER CONTRACT BONDS - MAXIMUM PENALTY $100,000.00
ALL OTHER BONDS - MAXIMUM PENALTY $10,000.00

"THIS POWER OF ATTORNEY SHALL TERMINATE AND BE OF NO FURTHER EFFECT AFTER DECEMBER 31, 1992"

and to bind the Company thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of the Transamerica Premier Insurance Company, at a meeting held on the 12th day of June, 1984.

"Be It Resolved, that the President, any Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

"Section 1. Attorney-in-Fact. Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity, consents of surety and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

In Witness Whereof, Transamerica Premier Insurance Company has caused these presents to be signed by its VICE PRESIDENT and its corporate seal to be hereto affixed this 7TH day of OCTOBER, A.D., 19 90.

TRANSAMERICA PREMIER INSURANCE COMPANY
By Elaine Stevens

TRANSAMERICA PREMIER INSURANCE COMPANY — INCORPORATED — JULY 1, 1941 — CALIFORNIA

State of California
County of Orange } ss.:

On this 7TH day of OCTOBER, in the year 1990, before me CAROLYN A. AVANZINO, a notary public, personally appeared ELAINE STEVENS, personally known to me to be the person who executed the within instrument as VICE PRESIDENT, on behalf of the corporation therein named and acknowledged to me that the corporation executed it.

OFFICIAL SEAL
CAROLYN A. AVANZINO
NOTARY PUBLIC-CALIFORNIA
PRINCIPAL OFFICE IN
ORANGE COUNTY
My Commission Expires February 15 1994

Carolyn A. Avanzino
Notary Public

I, the undersigned Secretary of Transamerica Premier Insurance Company hereby certify that the above and foregoing is a full, true an correct copy of the Original Power of Attorney issued by said Company, and do hereby further certify that the said Power of Attorney is still in force and effect.

And I do hereby further certify that the Certification of this Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolution adopted by the Board of Directors of the Transamerica Premier Insurance Company at a meeting duly called and held on the 12th of June, 1984, and that said resolution has not been amended or repealed:

"Resolved, that the signature of the Secretary or any Assistant Secretary of this Corporation, and the seal of the Corporation, may be affixed or printed by facsimile to any certificate to a Power of Attorney of this Corporation, and that such printed facsimile signature and seal shall be valid and binding upon this Corporation."

GIVEN under my hand and the seal of said Company, this 14th day of November, 19 91.

Secretary

THIS POWER OF ATTORNEY EFFECTIVE ONLY IF ATTACHED TO BOND NO. TPI 03223412-06

Read the first time in full and on motion by Quirk, seconded by Edmonds, and duly adopted, read the second time by title and referred to the Committee on Finance (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____.M.,E.S.T.

DATED: 11-26-91.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Schmidt, seconded by Redd, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7			2
BRADBURY	✓			
BURNS				
EDMONDS	✓			✓
GiaQUINTA				
HENRY	✓			✓
LONG	✓			
REDD	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 12-10-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ (SPECIAL) ~~(ZONING~~ MAP) ORDINANCE ~~RESOLUTION~~ NO. S-304-91 on the 10th day of December, 1991,

ATTEST: Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

SEAL
Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 11th day of December, 19__, at the hour of 10:30 o'clock A.M.,E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of December, 19 91, at the hour of 8:45 o'clock P.M.,E.S.T.

P. J. Helmke
PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

S-91-11-47

DEPARTMENT REQUESTING ORDINANCE: Purchasing

SYNOPSIS OF ORDINANCE: An ordinance approving the award of Reference No. 1583 for the removal and installation of new roofs on the Stewart McMillen Tennis Center and Conklin Pavilion for the Park Department.

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

EFFECT OF PASSAGE: Old roofs are leaking and need replaced.

IF REPLACEMENT, WHAT NECESSITATES: Existing roof has reached life cycle end. Replacement is standard practice. Conklin Pavilion existing cedar shingles were installed in 1957, due to age, weather, etc. the existing roof has deteriorated to a point that necessitates replacement instead of repair. New roofing will be laminated fiberglass shingles.

EFFECT OF NON-PASSAGE: Damage to interior of the building. Continual maintenance costs for repair of deteriorated areas. Possible damage to rafters and joists. Possible disruption of rentals and the use of the buildings.

MONIES INVOLVED: Fort Wayne Roofing $16670.00+/-

ACCOUNT INFO: Park Department 121-121-R471-4361
121-121-P245-4361

PRICE AGREEMENT: NO

PURCHASE ORDER: YES

SOURCE OF FUNDING: Park Department

PRIOR APPROVAL: No DATE:
(IF APPLICABLE)

BILL NO. S-91-11-47

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN
DONALD J. SCHMIDT, VICE CHAIRMAN
BRADBURY, REDD, BURNS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (ORDINANCE) ~~(RESOLUTION)~~ approving the awarding of Reference #1583 by the City of FortWayne, Indiana, by and through its Department of Purchasing and FORT WAYNE ROOFING CORPORATION for the Parks and Recreation Department

HAVE HAD SAID (ORDINANCE) ~~(RESOLUTION)~~ UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) ~~(RESOLUTION)~~

DO PASS	DO NOT PASS	ABSTAIN	NO REC

DATED: 12-10-91

Sandra E. Kennedy
City Clerk